IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL ACTION
	:	
	:	
v.	:	No. 16-405-2
	:	
CHARLES WASHINGTON	:	
	:	

ORDER

This 13th day of December, 2023, following a motions hearing, it is hereby **ORDERED** as follows:

1. Defendant's Motion to Preclude Out-of-Court and In-Court Identification by Jamalia Shell, ECF 214, is **DENIED.**

2. Defendant's Motion to Preclude Still Images of the Village Arms Gun Store Created from a Lost Surveillance Videotape, ECF 215, is **DENIED.**

3. Defendant's Motion to Preclude Police and Federal Agent Reports, ECF 216, is **DENIED** as to the three specific records proffered by the Government.

4. Defendant's Motion to Preclude Excel Spreadsheets, ECF 217, is **GRANTED** in part and **DENIED** in part. The spreadsheets prepared by Citadel's Fraud Manager, Jamie Tribbet, are admissible if a foundation is laid qualifying them as business records. The spreadsheets prepared by federal agents are inadmissible as evidence under Rule 1006, but, subject to further rulings by the Court as to the appropriateness of the content, might qualify as demonstrative aids to testimony.[1]

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[1] As to the rulings, the Court will provide the rationale for each decision from the bench when trial commences.

5.   Defendant's Motion to Dismiss Financial Fraud Counts, Counts 1-5, 7-11, ECF

218, is **DENIED** for the reasons set forth in the accompanying memorandum.

                                      /s/Gerald Austin McHugh
                                      United States District Judge